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10 GABRIEL CASTRO  
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12 UNITED STATES DISTRICT COURT  
13 SOUTHERN DISTRICT OF CALIFORNIA  
14 (Hon. M. James Lorenz)  
15

12 UNITED STATES OF AMERICA,	)	CASE NO. 08 CR 248 L
	)	
13 Plaintiff,	)	<b>NOTICE OF MOTION AND</b>
	)	<b>MOTION TO COMPEL</b>
14 vs.	)	<b>DISCOVERY AND FOR LEAVE</b>
	)	<b>TO FILE FURTHER MOTIONS</b>
15	)	
16 GABRIEL CASTRO,	)	
	)	
17	)	Date: February 25, 2008
18	)	Time: 2:00 p.m.
19 Defendant.	)	

20 TO: KAREN P. HEWITT, UNITED STATES ATTORNEY AND HER DESIGNATED  
21 ASSISTANT UNITED STATES ATTORNEY.

22 PLEASE TAKE NOTICE that on February 25, 2008 at 2:00 p.m., or as soon thereafter  
23 as counsel may be heard, Defendant Gabriel Castro by and through his CJA counsel, Martin G.  
24 Molina, will ask this court to enter an order compelling discovery and for leave to file further  
25 motions.

26 This notice is based on the instant notice, the Motion to Compel Discovery, the attached  
27 Memorandum of Points and Authorities, and all other materials that may come to this Court's  
28

1 attention at the time of the hearing on the motion.

2  
3 **MOTION**

4 Defendant Gabriel Castro, by and through counsel, Martin G. Molina, pursuant to the  
5 United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable  
6 statutes, case law and local rules, hereby moves this Court for an order to compel discovery of  
7 the following items:

- 8 1. Mr. Castro's Statements.
- 9 2. Arrest Reports, Notes and Dispatch Tapes.
- 10 3. Reports of Scientific Tests or Examinations.
- 11 4. Brady Material.
- 12 5. Any Information That May Result in a Lower Sentence Under the Guidelines.
- 13 6. Mr. Castro's Prior Criminal Record (if any).
- 14 7. Any Proposed 404(b) Evidence.
- 15 8. Evidence Seized.
- 16 9. Request for Preservation of Evidence.
- 17 10. Tangible Objects.
- 18 11. Evidence of Bias or Motive to Lie.
- 19 12. Impeachment Evidence.
- 20 13. Evidence of Criminal Investigation of Any Government Witness.
- 21 14. Evidence Affecting Perception, Recollection, Ability to Communicate, or Truth-Telling of  
22 Government Witness.
- 23 15. Names and Addresses of Government Witnesses whether or not the Government intends to  
24 call as witnesses.
- 25 16. Names of Witnesses Favorable to the Defendant.
- 26 17. Statements Relevant to the Defense.
- 27 18. Jencks' Act Material.

1 19. Giglio Information.

2 20. Informants and Cooperating Witnesses.

3 21. Personnel Records of Government Officers Involved in the Arrest.

4 22. Government Examination of Law Enforcement Personnel Files.

5 23. Written Summaries of all Expert Testimony.

6 24. Residual Request

7 In addition, Mr. Castro's also requests leave to file further motions as additional  
8 information regarding the case comes to light particularly because to date, the defense has not  
9 received any reports prepared by law enforcement agents in connection with his arrest.

10 The instant discovery motion is based on the notice and motion, the attached  
11 memorandum of points and authorities, and all other materials that may come to this Court's  
12 attention at the time of the hearing on the motion.

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14  
15 Dated: February 2, 2008

Respectfully submitted,  
LAW OFFICE OF MARTIN G. MOLINA

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18 By: /s/ Martin G. Molina  
19 Martin G. Molina  
20 mmolinaesq@yahoo.com  
21 CJA Attorney for Defendant  
22 GABRIEL CASTRO  
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